

## REMARKS

The Office Action dated February 19, 2008, has been received and considered. Reconsideration of the outstanding rejections in the present application is respectfully requested based on the following remarks.

### **Allowable Subject Matter**

The Applicants note with appreciation the indication at page 17 of the Office Action that claim 25 recites allowable subject matter. The Applicants have opted to forgo rewriting the claim as suggested in view of the following remarks.

### **Anticipation Rejection of Claims 1, 13, 31, 40, 41, 47, 49, 50 and 52**

At page 2 of the Office Action, claims 1, 13, 31, 40, 41, 47, 49, 50 and 52 are rejected under 35 U.S.C. § 102(e) as being anticipated by Daellenbach et al. (U.S. Publication No. 2003/0168508) (hereinafter “the Daellenbach publication”). This rejection is hereby respectfully traversed.

To support its assertion of anticipation, the Office at pages 2-3 of the Office Action cites to lines 10-11 and 13-15 of paragraph [0069] of the Daellenbach publication, set forth below:

The driver can be downloaded from a network connection or can be loaded locally at the general purpose computer. The licensee is also given a password or pin number, which allows microprocessor 104 to identify and properly use the encrypted driver software for the updated or new money-handling peripheral device.

Applicants respectfully point out that the Daellenbach publication is based on an application filed March 11, 2002, which is subsequent (not prior) to November 14, 2001, the filing date of the present Application.

The Daellenbach publication claims priority to a provisional application filed March 9, 2001 (hereinafter “the Daellenbach provisional”). However, while this date is prior to the filing date of the present Application, the Daellenbach provisional does not disclose all the information disclosed in the Daellenbach publication, and specifically does not disclose the information of

the Daellenbach publication cited by the Office in its anticipation rejection of claims 1, 13, 31, 40, 41, 47, 49, 50 and 52. That is, the Daellenbach publication fails to disclose downloading a driver from a network connection and provision of a password to allow a microprocessor to use an encrypted driver. Thus, even assuming *arguendo* that the above cited paragraph discloses any of the features of claims 1, 13, 31, 40, 41, 47, 49, 50 and 52, such disclosure was not made until **after** the filing date of the present application. Accordingly, the Daellenbach publication is not prior art to the present application under Section 102(e), and the anticipation rejection based on the Daellenbach publication is therefore improper.

Further, Applicants respectfully submit that the Daellenbach publication fails to disclose at least one element of claims 1, 13, 31, 40, 41, 47, 49, 50 and 52. To illustrate, claim 1 recites “decrypting, at the peripheral device, the first encrypted routine [of a software driver] to generate a plaintext routine.” Independent claims 31, 40, 47, and 49 recite similar features. The above cited paragraph of the Daellenbach publication discloses only that provision of a password allows “use” of an encrypted software driver. Daellenbach does not disclose decrypting an encrypted routine of a software driver in any manner. Accordingly, Daellenbach fails to disclose at least the cited features of claims 1, 31, 40, 47, and 49.

In view of the foregoing, Applicants respectfully submit that the anticipation rejection of claims 1, 13, 31, 40, 41, 47, 49, 50 and 52 is improper. Withdrawal of the rejection and reconsideration of the claims is respectfully requested.

#### **Obviousness Rejection of Claims 1-3, 8-9, 13, 16, 31, 33, 38, 40, 47, 49, 51, 60 and 64**

At page 4 of the Office Action, claims 1-3, 8-9, 13, 16, 31, 33, 38, 40, 47, 49, 51, 60 and 64 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter (U.S. Patent No. 7,000,106) in view of Ciacelli (U.S. Patent No. 6,236,727). This rejection is hereby respectfully traversed.

Carter discloses a program for providing security at a computer telephony client. *Carter*, Abstract. In particular, Carter discloses an “encryption and decryption filter driver” interposed between an input/output supervisor and a general purpose sound card driver. *Id.*, FIG. 1B, col. 8, lines 37-45. The encryption and decryption filter driver encrypts or decrypts audio signals being

provided to and from the sound card driver, which in turn receives and provides the signals to a sound card. *Id.*

Turning to the claims, claim 1 recites “sending a first encrypted routine of a software driver to a peripheral device, wherein the software driver is to interface with the peripheral device.” According to the Office Action, these features are disclosed by Carter at column 9, lines 26-30 and column 6, lines 56-58. However, Applicants respectfully submit that the cited portions of Carter disclose only that a user can select whether the encryption and decryption filter driver is interposed between the input/output supervisor, and that the input/output supervisor is responsible for routing data from software to one or more peripherals. Neither the cited passage, nor any other portion of Carter, discloses or suggests sending **an encrypted routine of a software driver** to a peripheral device in any manner. Further, Ciacelli does not remedy the deficiency of Carter. Thus, the cited references, individually and in combination, fail to disclose or suggest at least one element of claim 1.

Claim 31 recites instructions to “send the first encrypted routine of said software driver to said peripheral device.” Claim 40 recites “a first interface to receive a first encrypted routine of a software driver.” Claim 47 recites “sending a first encrypted routine of a first software driver to a peripheral device.” Claim 49 recites “sending a first encrypted data associated with an application to a peripheral device.” For reasons similar to those set forth above with respect to claim 1, the cited references, individually and in combination, fail to disclose or suggest at least the cited features of these claims.

Claims 2-3, 8-9, 13, 16, 63, and 64 depend from claim 1. Claims 33 and 38 depend from claim 31. Claim 51 depends from claim 49. Accordingly, the cited references fail to disclose or suggest each and every element of these dependent claims, at least by virtue of their respective dependency on claims 1, 31, 40, and 49. In addition, these dependent claims recite additional novel elements.

In view of the forgoing, it is respectfully submitted that the obviousness rejection of claims 1-3, 8-9, 13, 16, 31, 33, 38, 40, 47, 49, 51, 60 and 64 is improper. Withdrawal of this rejection and reconsideration of the claims therefore is respectfully requested.

**Obviousness Rejection of Claims 2, 3, 8, 33 and 38**

At page 7 of the Office Action, claims 2, 3, 8, 33 and 38 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Daellenbach publication in view of Carter. This rejection is hereby respectfully traversed.

As explained above, the cited portions of the Daellenbach publication are not prior art to the present Application under any provision of § 102. Thus, the cited portions of the Daellenbach publication cannot be used to support the obviousness rejection.

In addition, claims 2, 3, and 8 depend from claim 1. Claims 33 and 38 depend from claim 31. As explained above, Carter fails to disclose each and every element of claims 1 and 31. Further, the Daellenbach publication, even if it were prior art to the present Application, does not remedy the deficiencies of Carter. Thus, the cited references, individually and in combination, fail to disclose or suggest at least one element of claims 2, 3, 8, 33, and 38, at least by virtue of their respective dependency on claims 1 and 31. In addition, claims 2, 3, 8, 33, and 38 recite additional novel elements.

In view of the forgoing, it is respectfully submitted that the obviousness rejection of claims 2, 3, 8, 33 and 38 is improper. Withdrawal of this rejection and reconsideration of the claims therefore is respectfully requested.

**Obviousness Rejection of Claims 10-12, 32, 39, 42, 43 and 54**

At page 8 of the Office Action, claims 10-12, 32, 39, 42, 43 and 54 are rejected under 35 U.S.C. § 103(a) as being unpatentable over the Daellenbach publication in view of Hendricks et al (U.S. Patent No. 7,298,851). This rejection is hereby respectfully traversed.

As explained above, the cited portions of the Daellenbach publication are not prior art to the present Application under any provision of § 102. Thus, the cited portions of the Daellenbach publication cannot be used to support the obviousness rejection. In addition, claims 10-12 depend from claim 1, claims 32 and 39 depend from claim 31, claims 42 and 43 depend from claim 40, and claim 54 depends from claim 49. As explained above, the Daellenbach publication fails to disclose or suggest at least one element of claims 1, 31, 40, and 49. Further,

Hendricks does not remedy the deficiencies of the Daellenbach publication. Accordingly, the cited references, individually and in combination, fail to disclose or suggest at least one element of claims 10-12, 32, 39, 42, 43 and 54, at least by virtue of their respective dependency on claims 1, 31, 40, and 49. In addition, the dependent claims recite additional novel elements.

In view of the forgoing, it is respectfully submitted that the obviousness rejection of claims 10-12, 32, 39, 42, 43 and 54 is improper. Withdrawal of this rejection and reconsideration of the claims therefore is respectfully requested.

#### **Obviousness Rejection of Claims 10-12, 32, 42 and 54**

At page 8 of the Office Action, claims 10-12, 32, 42 and 54 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter, in view of Ciacelli, and in view of Hendricks et al. This rejection is hereby respectfully traversed.

Claims 10 and 12 depend from claim 1. Claim 32 depends from claim 31. Claim 42 depends from claim 40. Claim 54 depends from claim 49. As explained above, Carter and Ciacelli fail to disclose or suggest at least one element of claims 1, 31, 42, and 49. Further, Hendricks does not remedy the deficiencies of the other cited references. Accordingly, the cited references, individually and in combination, fail to disclose or suggest at least one element of claims 10-12, 32, 42 and 54, at least by virtue of their respective dependency on claims 1, 31, 42, and 49. In addition, claims 10-12, 32, 42 and 54 recite additional novel elements.

In view of the forgoing, it is respectfully submitted that the obviousness rejection of claims 10-12, 32, 42, and 54 is improper. Withdrawal of this rejection and reconsideration of the claims therefore is respectfully requested.

#### **Obviousness Rejection of Claims 14 and 15**

At page 11 of the Office Action, 14 and 15 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter in view of Ciacelli, and in view of Wilson (U.S. Patent No. 4,520,232). This rejection is hereby respectfully traversed.

Claims 14 and 15 depend from claim 1. As explained above, Carter and Ciacelli fail to disclose or suggest at least one element of claim 1. Further, Wilson does not remedy the

deficiencies of the other cited references. Accordingly, the cited references, individually and in combination, fail to disclose or suggest at least one element of claims 14 and 15, at least by virtue of their dependency on claim 1. In addition, claims 14 and 15 recite additional novel elements.

In view of the forgoing, it is respectfully submitted that the obviousness rejection of claims 14 and 15 is improper. Withdrawal of this rejection and reconsideration of the claims therefore is respectfully requested.

**Obviousness Rejection of Claims 4-7, 17-24, 26, 27, 30, 34-37, 44-46 and 53**

At page 12 of the Office Action, claims 4-7, 17-24, 26, 27, 30, 34-37, 44-46 and 53 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter, in view of Ciacelli, in view of Freeman (U.S. Publication No. 2002/0129374). This rejection is hereby respectfully traversed.

With respect to claim 17, the claim recites “sending a first encrypted routine of a software driver to a graphics chip.” For reasons similar to those set forth above with respect to claim 1, Carter and Ciacelli fail to disclose or suggest at least these features of claim 17. Further, Freeman does not remedy the deficiencies of Carter and Ciacelli. Thus, the cited references, individually and in combination, fail to disclose or suggest at least one element of claim 17.

Claims 4-7 depend from claim 1. Claims 18-24, 26, 27, and 30 depend from claim 17. Claims 34-37 depend from claim 31. Claims 44-46 depend from claim 40. Claim 53 depends from claim 49. As explained above Carter and Ciacelli fail to disclose or suggest at least one element of claims 1, 17, 31, 40 and 49. Further, Freeman does not remedy the deficiencies of Carter and Ciacelli. Thus, the cited references fail to disclose or suggest at least one element of claims 4-7, 18-24, 26, 27, 30, 34-37, 44-46 and 53, at least by virtue of their respective dependence on claims 1, 17, 31, 40 and 49. In addition, claims 4-7, 18-24, 26, 27, 30, 34-37, 44-46 and 53 recite additional novel elements.

In view of the forgoing, it is respectfully submitted that the obviousness rejection of claims 4-7, 17-24, 26, 27, 30, 34-37, 44-46 and 53 is improper. Withdrawal of this rejection and reconsideration of the claims therefore is respectfully requested.

**Obviousness Rejection of Claim 24**

At page 15 of the Office Action, claim 24 is re rejected under 35 U.S.C. § 103(a) as being unpatentable over Carter in view of Ciacelli, in view of Freeman, and in view of Hendricks. This rejection is hereby respectfully traversed.

Claim 24 depends from claim 17. As explained above, Carter, Ciacelli, and Freeman fail to disclose or suggest at least one element of claim 17. Further, Hendricks does not remedy the deficiencies of Carter, Ciacelli, and Freeman. Thus, the cited references fail to disclose or suggest at least one element of claim 24, at least by virtue of its dependence on claim 17. In addition, claim 24 recites additional novel elements.

In view of the forgoing, it is respectfully submitted that the obviousness rejection of claim 24 is improper. Withdrawal of this rejection and reconsideration of the claim therefore is respectfully requested

**Obviousness Rejection of Claim 34**

At page 16 of the Office Action, claim 34 is re rejected under 35 U.S.C. § 103(a) as being unpatentable over the Daellenbach publication, in view of Carter and in view of Freeman. This rejection is hereby respectfully traversed.

As explained above, the cited portions of the Daellenbach publication are not prior art to the present Application under any provision of § 102. Thus, the cited portions of the Daellenbach publication cannot be used to support the obviousness rejection.

In addition, claim 34 depends from claim 31. As explained above, Carter fails to disclose each and every element of claim 31. Further, the Daellenbach publication, even if it were prior art to the present Application, does not remedy the deficiencies of Carter, nor does Freeman. Thus, the cited references, individually and in combination, fail to disclose or suggest at least one element of claim 34, at least by virtue of its dependency on claim 31. In addition, claim 34 recites additional novel elements.

In view of the forgoing, it is respectfully submitted that the obviousness rejection of claim 34 is improper. Withdrawal of this rejection and reconsideration of the claim therefore is respectfully requested.

### **Conclusion**

The Applicants respectfully submit that the present application is in condition for allowance, and an early indication of the same is courteously solicited. The Examiner is respectfully requested to contact the undersigned by telephone at the below listed telephone number in order to expedite resolution of any issues and to expedite passage of the present application to issue, if any comments, questions, or suggestions arise in connection with the present application.

The Applicants believe no additional fees are due, but if the Commissioner believes additional fees are due, the Commissioner is hereby authorized to charge any fees, which may be required, or credit any overpayment, to Deposit Account Number 50-0441.

Respectfully submitted,

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